

PATENT APPLICATION  
Mo5334  
LeA 32,322

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
STEFAN DUTZMANN ET AL ) GROUP NO.: 1616  
SERIAL NUMBER: TO BE ASSIGNED )  
FILED: HEREWITH ) EXAMINER: A. ROBINSON  
TITLE: FUNGICIDE ACTIVE )  
SUBSTANCE COMBINATIONS )

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Upon the granting of a Serial Number and Filing Date and prior to the examination of the subject application, please amend the application as follows:

"Express Mail" mailing label number EX633383318US  
Date of Deposit 4/26/01

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

Donna J. Veatch

(Name of person mailing paper or fee)



Signature of person mailing paper or fee)

IN THE TITLE:

On page 1, line 1, please delete "Fungicidal active compound" and insert - -Fungicide active substance- - before "combinations."

After the title and before the first line of specification, please add: -- This application is a divisional application of serial number 09/402,866, filed October 13, 1999. - -

IN THE SPECIFICATION:

On page 19, please delete the paragraph beginning on line 26 and ending on line 30 and replace it with the following:

--The active compound combinations according to the invention are particularly suitable for controlling cereal diseases, such as Erysiphe, Puccinia and Fusarium, and for controlling diseases encountered in viticulture, such as Uncinula, Plasmopara and Botrytis, and furthermore in dicotyledonous crops for controlling powdery and downy mildew fungi and causative organisms of leaf spot.--

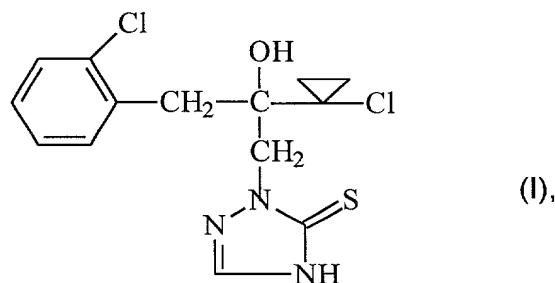
IN THE CLAIMS:

Please cancel Claims 1 through 5.

Please add the following new claims:

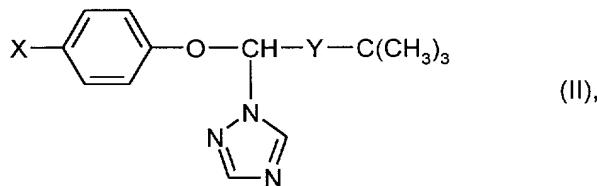
6. A fungicidal composition comprising an active compound combination comprising

(a) a 2-[2-(1-chlorocyclopropyl)-3-(2-chlorophenyl)-2-hydroxypropyl]2,4-dihydro-[1,2,4]-triazole-3-thione of the formula



and

(b) an active compound selected from the group consisting of  
(1) a triazole derivative of the formula

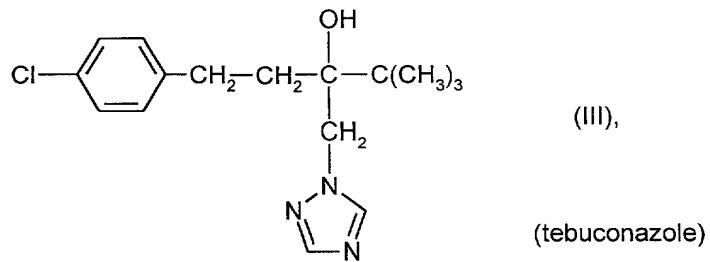


wherein

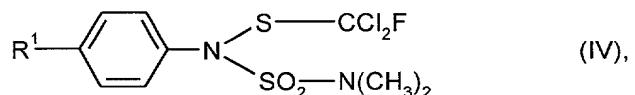
X represents chlorine or phenyl, and

Y represents  $\begin{array}{c} \text{---C---} \\ \parallel \\ \text{O} \end{array}$  or  $\begin{array}{c} \text{---CH---} \\ | \\ \text{OH} \end{array}$ ,

(2) a triazole derivative of the formula



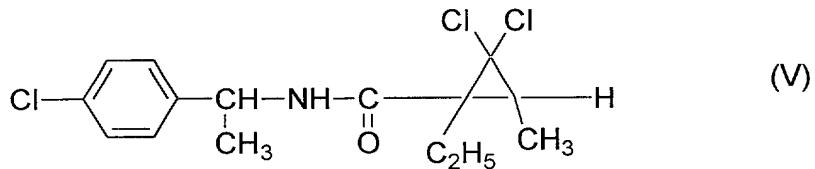
(3) an aniline derivative of the formula



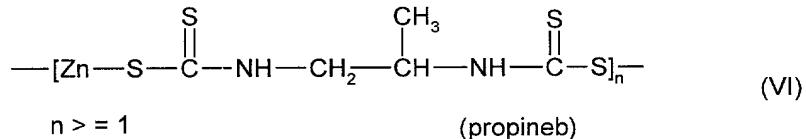
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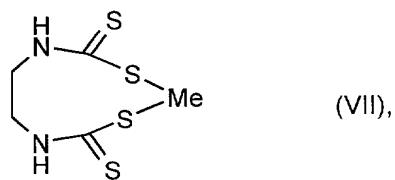
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(5) a zinc propylene-1,2-bis(dithiocarbamate) of the formula



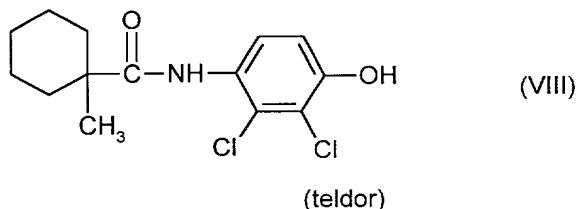
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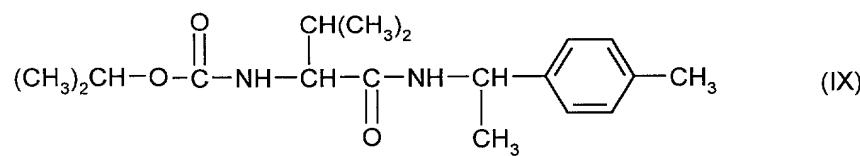
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Me = Zn or Mn or a mixture of Zn and Mn,

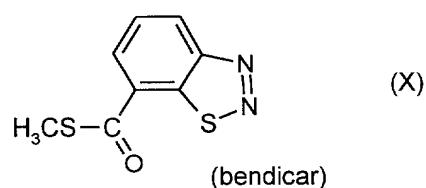
(7) an aniline derivative of the formula



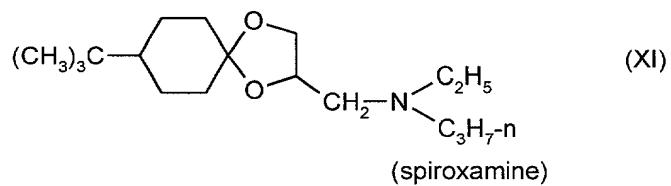
(8) a compound of the formula



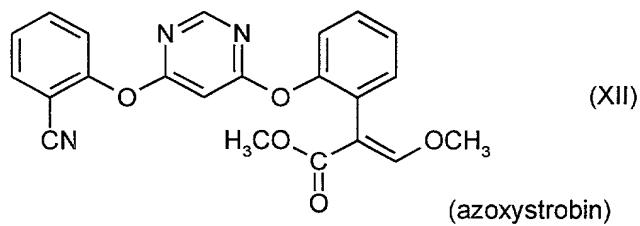
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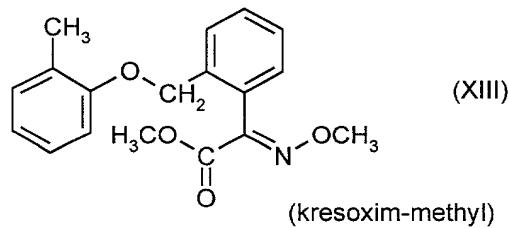
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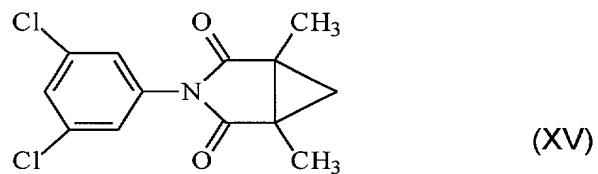
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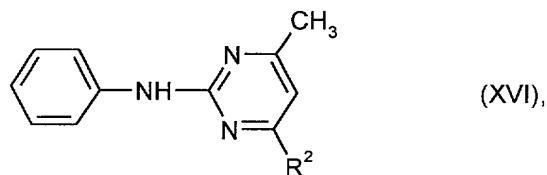
(12) a compound of the formula



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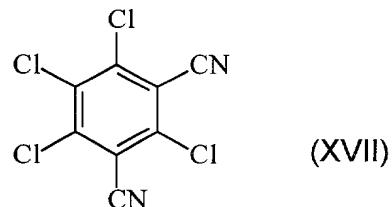
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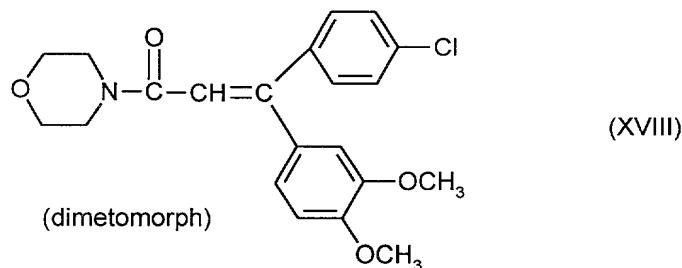
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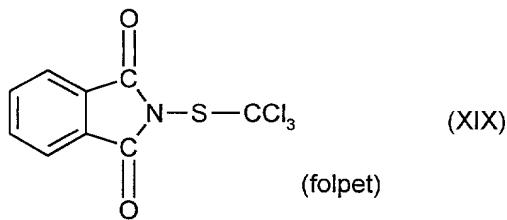
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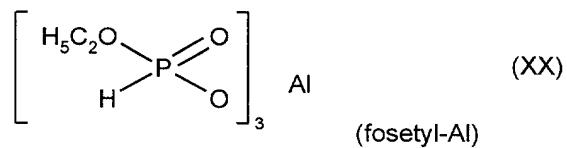
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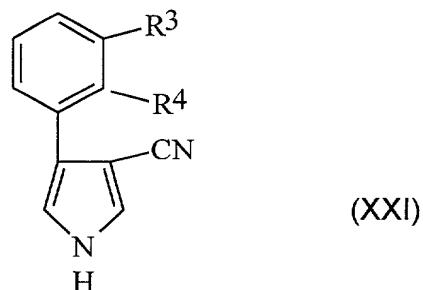
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(19) a phosphorus compound of the formula

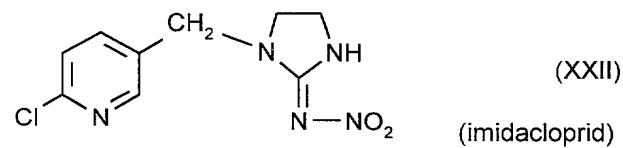


(20) a phenylpyrrole derivative of the formula

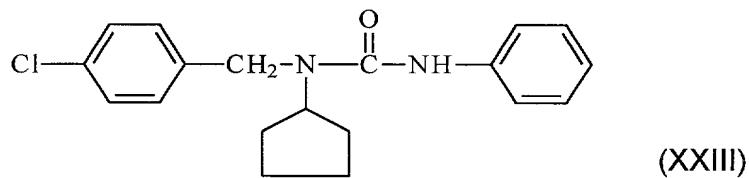


wherein R<sup>3</sup> and R<sup>4</sup> each represent chlorine or together represent a radical of the formula -O-CF<sub>2</sub>-O-,

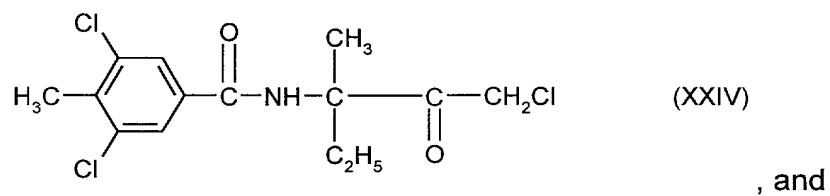
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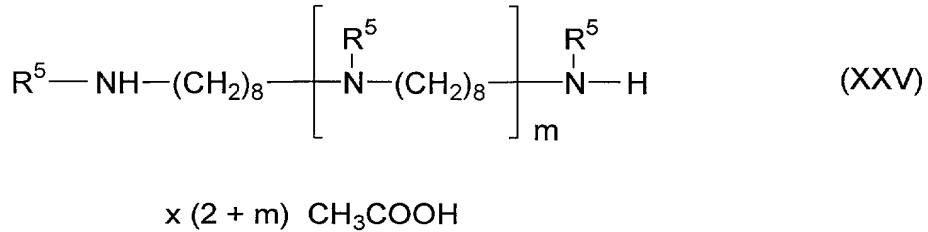
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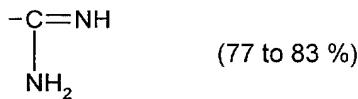
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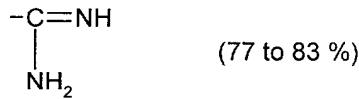
wherein

$m$  represents an integer from 0 to 5 and

$R^5$  represents hydrogen or the radical of the formula



wherein the hydrogen is present in an amount between 17 to 23 % of the total  $R^5$  groups and the radical of the formula



is present in a ratio of between 77 and 83% of the total  $R^3$  groups.

7. A composition according to Claim 6 comprising active compound combinations wherein a weight ratio of active compound of the formula (I) to

- active compound (1) between 1:0.1 and 1:20,
- active compound (2) between 1:0.1 and 1:20,
- active compound (3) between 1:0.2 and 1:150,
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- active compound (16) between 1:1 and 1:50,
- active compound (17) between 1:1 and 1:20,
- active compound (18) between 1:1 and 1:50,
- active compound (19) between 1:1 and 1:50,
- active compound (20) between 1:0.1 and 1:10,
- active compound (21) between 1:0.05 and 1:20,
- active compound (22) between 1:0.1 and 1:10,
- active compound (23) between 1:0.1 and 1:10, and
- active compound (24) between 1:0.1 and 1:10 is present.

8. A method for controlling fungi comprising applying active compound combinations according to Claim 6 to the fungi and/or their habitat.

9. A process for preparing fungicidal compositions comprising mixing active compound combinations according to Claim 6 with extenders and/or surfactants.--

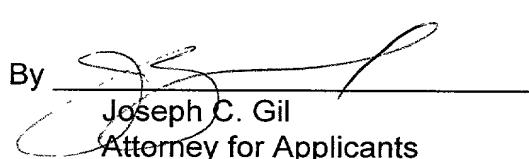
**REMARKS**

Applicants respectfully request entry of their preliminary amendment. An action on the merits is respectfully requested.

Respectfully submitted,

STEFAN DUTZMANN  
KLAUS STENZEL  
MANFRED JAUTELAT

By



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Attorney for Applicants  
Reg. No. 26,602

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/vjt/JCG2420

**VERSION WITH MARKINGS TO SHOW CHANGES**

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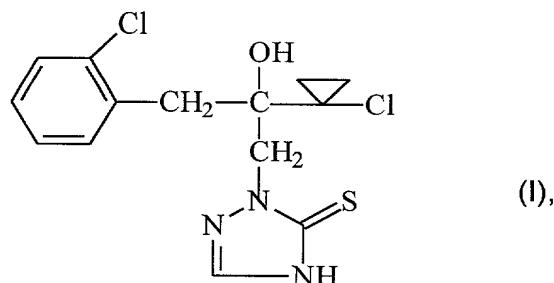
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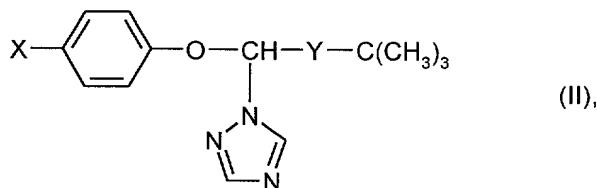
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Mo5334

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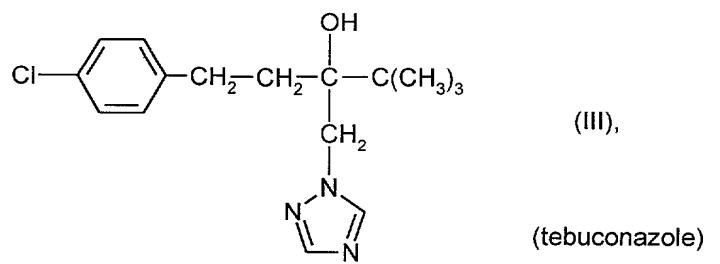


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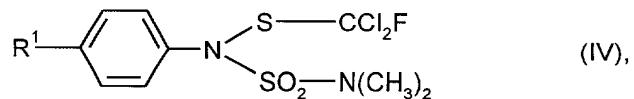
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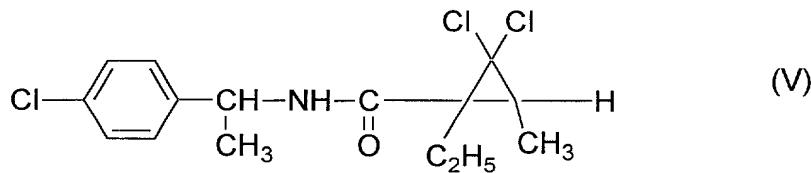
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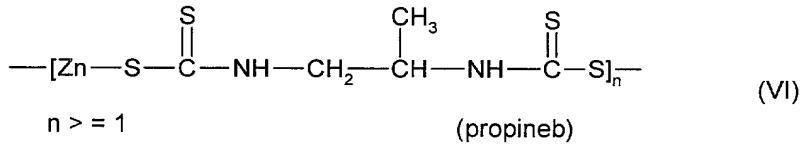
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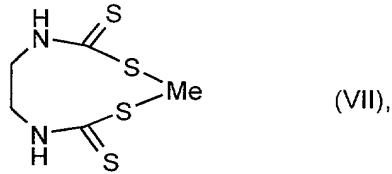
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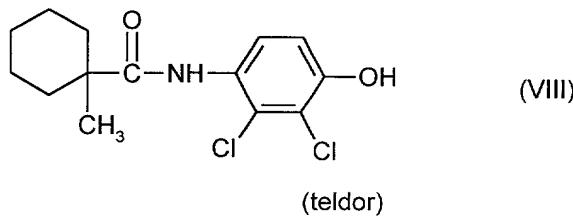
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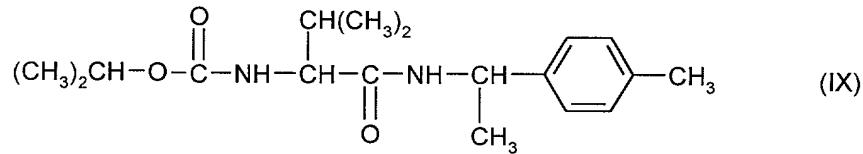
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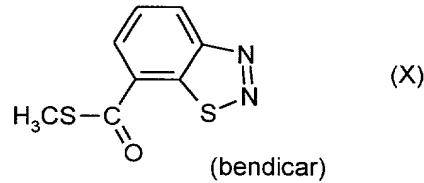
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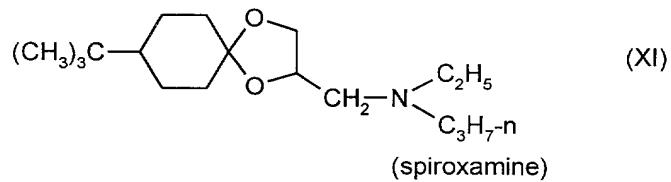
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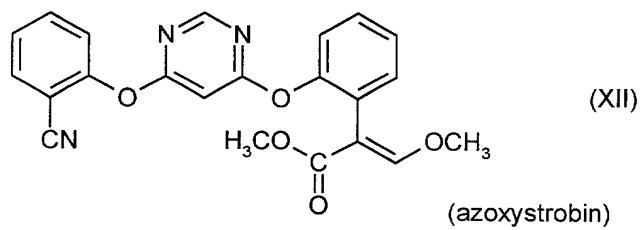
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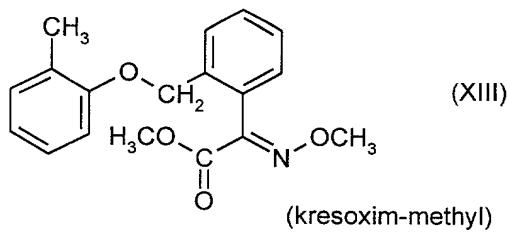
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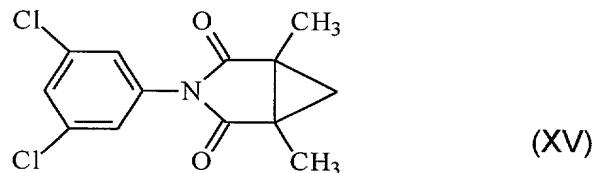
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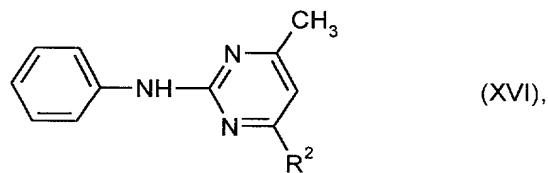
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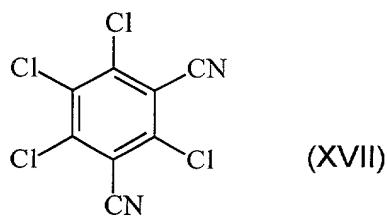
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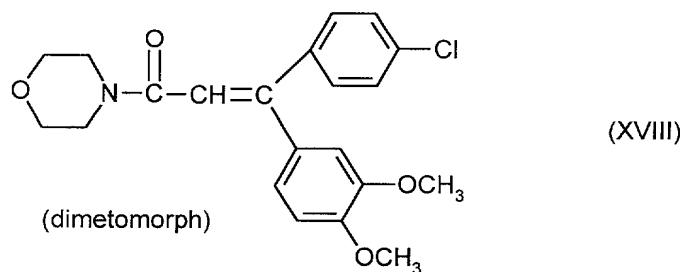
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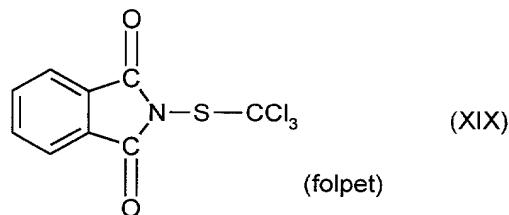
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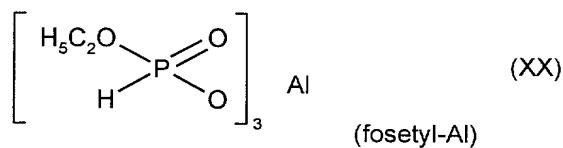
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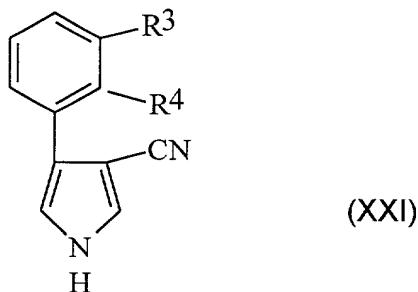
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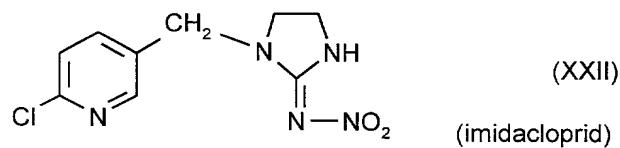


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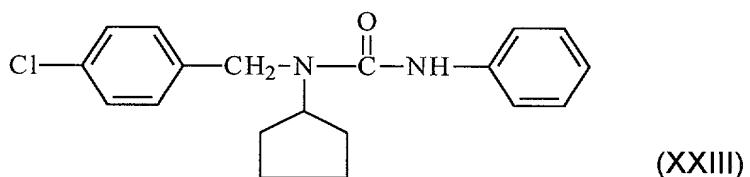


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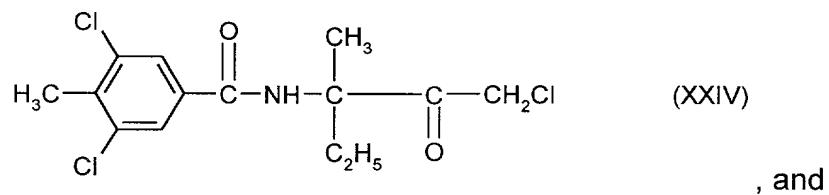
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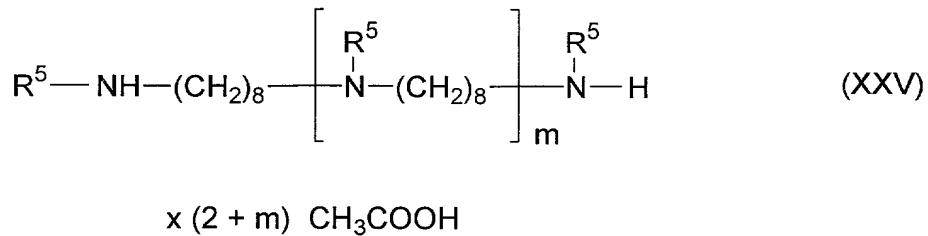
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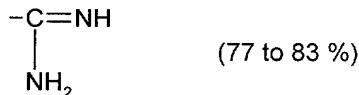
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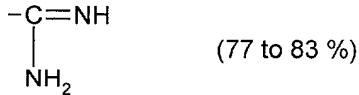
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